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Date : *October 30, 2009*

Patent No. : 7423148  
Inventor : Nuss et al.  
Patent Issued : Sep. 9, 2009  
Title : SMALL MOLECULE P1-3-KINASE INHIBITORS AND METHODS OF THEIR  
: USE

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent.

Inspection of the application for the patent reveals that in connection with the alleged error pertaining to column 149-151; the printed data in the letters patent with regard to applicants request is considered in accordance with the records within the Patent and Trademark office and, as the result of further review, has been determined that the changes would introduce new matter since there is no support for the second structure which is dihydroindazole. Further, the original structure was 1,2,3-benzotriazole which has support in the written description, thus, all of the above considered renders applicants requested change unwarranted. Accordingly, there being no fault on the part of the Patent and Trademark Office, it has no authority to issue a certificate of correction under the provisions of 35 U.S.C. 254 and Rule 322 and 323 of the Rules of Practice of the United States Patent and Trademark Office in Patent Cases.

In view of the foregoing applicants request in this matter is hereby denied, however a certificate of correction will issue to correct the remaining errors noted in applicants request. Any telephone inquiry concerning this communication should be directed to Ms. A. Green at (703) 756-1541.

Mary Diggs, Supervisor  
Decisions & Certificates  
of Correction Branch

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